

Agreement between the Government of the United  
States of America and the  
Government of the Republic of Sierra Leone  
Regarding the Surrender of Persons to the  
International Criminal Court

The Government of the United States of America and the  
Government of the Republic of Sierra Leone, hereinafter "the  
Parties,"

Reaffirming the importance of bringing to justice those who  
commit genocide, crimes against humanity and war crimes.

Recalling that the Rome Statute of the International Criminal  
Court done at Rome on July 17, 1998 by the United Nations  
Diplomatic Conference of Plenipotentiaries on the  
Establishment of an International Criminal Court is intended  
to complement and not supplant national criminal jurisdiction.

Considering that the Parties have each expressed their  
intention to investigate and to prosecute, where appropriate,  
acts within the jurisdiction of the International Criminal  
Court alleged to have been committed by their officials,  
employees, military personnel or other nationals.

Bearing in mind Article 98 of the Rome Statute,

Hereby agree as follows:

1. For the purposes of this agreement, "persons" are current  
or former Government officials, employees (including  
contractors), or military personnel or nationals of one  
Party.
2. Persons of one Party present in the territory of the  
other shall not, absent the expressed consent of the  
first party:
  - (a) be surrendered or transferred by any means to the  
International Criminal Court for any purpose, or

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- (b) be surrendered or transferred by any means to any other entity or third country, or expelled to a third country, for the purpose of surrender to or transfer to the International Criminal Court.
3. When the United States extradites, surrenders, or otherwise transfers a person of the other Party to a third country, the United States will not agree to the surrender or transfer of that person to the International Criminal Court by the third country, absent the expressed consent of the Government of Sierra Leone.
  4. When the Government of Sierra Leone extradites, surrenders, or otherwise transfers a person of the United States of America to a third country, the Government of Sierra Leone will not agree to the surrender or transfer of that person to the International Criminal Court by a third country, absent the expressed consent of the Government of the United States.
  5. This Agreement shall enter into force upon an exchange of notes confirming that each party has completed the necessary domestic legal requirements to bring the Agreement into force. It will remain in force until one year after the date on which one Party notifies the other of its intent to terminate this Agreement. The provisions of this Agreement shall continue to apply with respect to any act occurring, or any allegation arising, before the effective date of termination.

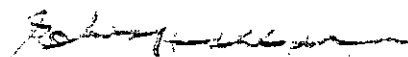
Done at Freetown, Sierra Leone, this 31<sup>st</sup> day of March 2003, in duplicate, in the English language.

FOR THE GOVERNMENT OF  
THE UNITED STATES OF  
AMERICA:



Walter H. Kansteiner III  
Assistant Secretary of State  
for African Affairs

FOR THE GOVERNMENT OF  
THE REPUBLIC OF SIERRA  
LEONE:



Eke Ahmed Halloway  
Attorney-General and  
Minister of Justice